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10/505,210	12/16/2004	Mordechai Zussman	Q67487	5156
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SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037		EXAMINER RUSTEMEYER, BRETT J		
		ART UNIT 2623		PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/505,210	<b>Applicant(s)</b> ZUSSMAN ET AL.
	<b>Examiner</b> BRETT RUSTEMEYER	<b>Art Unit</b> 2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04/21/2008 (Applicant's Election).  
 2a) This action is FINAL.                  2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-50 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-50 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 20 August 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of claims 1-50 in the reply filed on April 21<sup>st</sup>, 2008 (hereinafter referred to as "Applicant's Election") is acknowledged.
2. Claims 51-58, 59-61, and 62-65 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected hierarchical based cellular communication system, method for determining a call charge, and method for determining the location of a cellular caller, there being no allowable generic or linking claim. Election was made **without** traverse in the Applicant's Election.
3. Claims 1-50 are pending.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(e) of this title before the invention thereof by the applicant for patent.

5. Claims 1-19 and 21-34 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent "5,953,670" invented by Paul Newson, hereinafter "Newson".

**Regarding claim 1,** Newson discloses a monitor enabled amplifier, comprising:

two bypass devices (Figure 1, **Bypass Device 1:** See 1<sup>st</sup> Tap located directly downstream of Bridge Amplifier coupled to Fiber Network 2, **Bypass Device 2:** Inherently located directly downstream of Bridge Amplifier coupled to Fiber Network 1, [Col. 3, L25-L30]);

a CATV amplifier coupled between the two bypass devices (Figure 1: See Bridge Amplifier);

a cellular amplifier (e.g., frequency) coupled between the two bypass devices (Figure 9: See HESP Uplink Transposer, [Col. 6, L30-L34]);

each of the bypass devices passing CATV signals to the CATV amplifier (Figure 1, See Bridge Amplifier) and frequency shifted cellular signals to the cellular amplifier ([Col. 6, L15-L34]), and

a monitor receiving (e.g., HESP) the frequency shifted cellular signals from one of the bypass devices (Figure 1, [Col. 6, L15-L34]).

**Regarding claim 2,** Newson discloses the monitor enabled amplifier as set forth in claim 1, wherein the monitor includes:

a frequency converter (Figure 9: See Headend Transposer) receiving the frequency shifted cellular signals and outputting cellular signals at unshifted frequencies ([Col. 6, L15-L34]); and

a cellular interface (cell I/F) - (**Interpretation A:** e.g., mobile radio/terminal.

**Interpretation B:** e.g., Remote Transposer) communicating cellular signals at unshifted

frequencies with the frequency converter ([Col. 4, L7-L12], [Col. 4, L44-L54], [Col. 6, L2-L7], and [Col. 6, L15-L19]).

**Regarding claim 3,** Newson discloses the monitor enabled amplifier as set forth in claim 2, wherein the cell I/F includes a standard wireless phone chip (**Interpretation A:** Inherent feature of a wireless radio, [Col. 4, L44-L54]).

**Regarding claim 4,** Newson discloses the monitor enabled amplifier as set forth in claim 2, wherein the cell I/F is a twin mode {e.g., transmit (Tx) / receive (Rx)} cell I/F (**Interpretation B:** [Col. 4, L39-L54]).

**Regarding claim 5,** Newson discloses the monitor enabled amplifier as set forth in claim 4, wherein the twin mode cell I/F includes means for receiving uplink communications (**Interpretation B:** [Col. 4, L39-L54]).

**Regarding claim 6,** Newson discloses the monitor enabled amplifier as set forth in claim 2, further comprising a sensor (e.g., antenna unit) connected to the cell I/F (Figure 5, [Col. 4, L44-L54]).

**Regarding claim 7,** Newson discloses a method of operation for a monitor enabled amplifier (MEA) in a CATV network, comprising:

receiving a frequency shifted cellular signal through a CATV network {**(Interpretation A:** Figure 9: See HESP Uplink Transposer, [Col. 6, L30-L34]) - **(Interpretation B:** Figure 5: See Remote Transposer, [Col. 4, L39-L67])};

converting the frequency shifted cellular signal to a cellular signal at an unshifted (e.g., cellular) frequency (**Interpretation A:** [Col. 6, L30-L34], **Interpretation B:** [Col. 4, L39-L67]);

automatically responding to the cellular signal (Figure 4, See Antenna Unit, [Col. 4, L61-L64]).

**Regarding claim 8,** Newson discloses the method of operation for an MEA as set forth in claim 7, further comprising:

making a reporting determination based on the timing of a previous communication (Col. 6, L50-L61); and

when the reporting determination is in the affirmative (e.g., confirmed), reporting by originating a cellular call signal ([Col. 6, L61-L65]).

**Regarding claim 9,** Newson discloses the method of operation for an MEA as set forth in claim 8, wherein the reporting includes sending a report having one or more of:

timestamp information;

signal strength information ([Col. 6, L61-L65]); and

status information based on the detection of a received value reaching a predetermined threshold ([Col. 6, L61-L65]).

**Regarding claim 10,** Newson discloses the method of operation for an MEA as set forth in claim 8, further comprising receiving the received value from a sensor (See “continuously monitors”, [Col. 6, L40-L44]).

**Regarding claim 11,** Newson discloses the method of operation for an MEA as set forth in claim 8, further comprising receiving the received value from another processor (Figure 4, See “Micro Processor”, [Col. 5, L1-L12]).

**Regarding claim 12,** Newson discloses the method of operation for an MEA as set forth in claim 7, wherein the converting of the frequency shifted cellular signal to a cellular signal at an unshifted frequency is performed for only downlink communications {**(Interpretation A:** See Fig. 9, Headend Transposer-Tx, [Col. 6, L22-L26]) – **(Interpretation B:** See Fig. 4, Remote Transposer-Tx, [Col. 4, L39-L67])}.

**Regarding claim 13,** Newson discloses the respective limitations of claim 12 in addition to:

and also for uplink communications from mobile terminals {**(Interpretation A:** See Fig. 9, Headend Transposer-Rx, [Col. 6, L30-L34]) – **(Interpretation B:** See Fig. 4, Remote Transposer-Rx, [Col. 4, L39-L67])}.

**Regarding claim 14,** Newson discloses the method of operation for an MEA as set forth in claim 13, wherein automatically responding to the cellular call signal (e.g., uplink) comprises:  
making a detection of cellular call traffic of a mobile terminal ([Col. 6, L40-L46]); and

reporting the detection ([Col. 6, L50-L65]).

**Regarding claim 15,** Newson discloses the method of operation for an MEA as set forth in claim 14, wherein the reporting includes providing a timestamp ([Col. 5, L1-L12]).

**Regarding claim 16,** Newson discloses the method of operation for an MEA as set forth in claim 14, wherein the reporting includes providing an originating station indicator (OSI) – (e.g., identification of RAD) pertaining to the mobile terminal (Inherent feature disclosed for the HESP to communicate back to “the RAD”, [Col. 6, L50-L65]).

**Regarding claim 17,** Newson discloses a monitor enabled cable mount cellular antenna (MEC), comprising:

an antenna unit (Figure 4, See Antenna Unit, [Col. 4, L61-L64]),

a frequency converter (Figure 4, See Remote Transposer, [Col. 4, L64-L67]), and

a cellular interface (cell I/F) {**Interpretation A:** e.g., mobile radio/terminal, [Col. 4, L44-L54]) - (**Interpretation B:** e.g., Remote Transposer-Diplex Filter, [Col. 4, L39-L54]) – (**Interpretation C:** e.g., Air Interface – Inherent of wireless radio)};

wherein the frequency converter communicates unshifted cellular signals with the antenna unit and the cell I/F ([Col. 4, L39-L64]).

**Regarding claim 18,** Newson discloses the MEC as set forth in claim 17, wherein the cell I/F includes:

a processor {**(Interpretation A:** Inherent feature of a wireless radio, [Col. 4, L44-L54]) - **(Interpretation B:** Figure 4, See "Micro Processor" or [Col. 3, L15-L20])}, and  
a receiver/transmitter (RT) unit under control of the processor {**(Interpretation A:** Inherent feature of a wireless radio, [Col. 4, L44-L54]) – **(Interpretation B:** Uplink/Downlink, [Col. 4, L39-L45] with respect to "Micro Processor" or [Col. 3, L15-L20])}.

**Regarding claim 19,** Newson discloses the MEC as set forth in claim 17, wherein the frequency converter is adapted to convert cellular signals between an unshifted format and a frequency shifted format ([Col. 4, L7-L34], [Col. 4, L64-L67]).

**Regarding claim 21,** Newson discloses the MEC as set forth in claim 17, wherein the cell I/F is a twin mode {e.g., transmit (Tx) / receive (Rx)} cell I/F {**(Interpretation A:** Inherent feature of a wireless radio, [Col. 4, L44-L54]) – **(Interpretation B:** Uplink/Downlink, [Col. 4, L39-L45])}.

**Regarding claim 22,** Newson discloses the MEC as set forth in claim 19, wherein the twin mode cell I/F includes means for receiving uplink communications (**Interpretation B:** Uplink, [Col. 4, L39-L45]).

**Regarding claim 23,** Newson discloses the MEC as set forth in claim 17, further comprising a sensor (e.g., Antenna Unit) connected to the cell I/F (Figure 4, [Col. 4, L61-L64]).

**Regarding claims 24-29** please refer to remarks and citations provided by the Examiner in response to claims 7-12.

**Regarding claim 30,** Newson discloses the method of operation for an MEC as set forth in claim 24, further comprising:

receiving, from an antenna unit, an uplink cellular signal at an unshifted frequency ([Col. 4, L7-L34], [Col. 4, L39-L67]);

automatically responding to the uplink cellular signal (Figure 4, See Antenna Unit, [Col. 4, L61-L64]).

**Regarding claims 31-33** please refer to remarks and citations provided by the Examiner in response to claims 14-16.

**Regarding claim 34,** Newson discloses the method of operation for an MEC as set forth in claim 31, wherein the reporting includes:

determining an originating station indicator (OSI) - (e.g., “received transformed RSS”) pertaining to the mobile terminal ([Col. 6, L50-L65]);

making a comparison between the OSI and one or more authorized station identifiers (ASI) (See required maximum “RSS”, [Col. 6, L50-L65]);

determining the value of an ASI indicator (e.g., power up/down increment) based on the comparison ([Col. 6, L50-L65]).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPO 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (*See MPEP Ch. 2141*)

- a. Determining the scope and contents of the prior art;
- b. Ascertaining the differences between the prior art and the claims in issue;
- c. Resolving the level of ordinary skill in the pertinent art; and
- d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newson.

**Regarding claim 20**, Newson discloses the MEC as set forth in claim 17, wherein the cell I/F includes both a processor and a receiver/transmitter (RT) unit (Inherent features of a wireless radio, [Col. 4, L44-L54]). Newson is silent to disclose that the processor and RT unit are part of a standard wireless phone chip. However, Official Notice is taken that both the concept and advantage of incorporating a processor and a RT unit was notoriously well known and expected in the art, and therefore would have been obvious to incorporate in the Newson reference for the benefit of reducing the space required for circuitry in a mobile phone.

8. Claims 35-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newson in view of United States Patent "5,809,395" invented by Hamilton-Piercy et al., hereinafter "Hamilton-Piercy".

**Regarding claim 35,** Newson discloses a method of cellular communications, comprising:

communicating a cellular signal between a mobile terminal and a base transceiver station via an antenna and a CATV network (*Newson*, See Figure 1, [Col. 4, L39-L53], [Col. 6, L1-L7], and [Col. 6, L30-L34]);

converting the frequency of the cellular signal to a shifted frequency when the cellular signal is in the CATV network {**(Interpretation A:** *Newson*, See Fig. 9, Headend Transposer, [Col. 6, L30-L34]) – **(Interpretation B:** *Newson*, See Fig. 4, Remote Transposer, [Col. 4, L39-L67])};

bypassing the frequency shifted cellular signal around active components of the CATV network {**(Interpretation C:** *Newson*, See CATV Plant, Figure 1) – {**(Interpretation D:** *Newson*, Bridge Amplifiers corresponding to undesired Fiber Networks, Figure 1)};

amplifying the frequency shifted cellular signal using cellular amplifiers {**(Interpretation E:** *Newson*, [Col. 6, L61-L65]) – {**(Interpretation F:** *Newson*, [Col. 5, L57] to [Col. 6, L10]); and

converting the frequency shifted cellular signal back to an unshifted frequency when the cellular signal leaves the CATV network for the base transceiver station (*Newson*, [Col. 4, L7-L34], [Col. 6, L30-L34]) or the mobile terminal (*Newson*, [Col. 4, L7-L34], [Col. 4, L64-L67]); and

providing a monitor, comprising a frequency converter {(**Interpretation A:** *Newson*, See Fig. 9, Headend Transposer, [Col. 6, L30-L34]) – (**Interpretation B:** *Newson*, See Fig. 4, Remote Transposer, [Col. 4, L39-L67])} and a cellular interface (cell I/F) {(**Interpretation G:** *Newson*, e.g., mobile radio/terminal, [Col. 4, L44-L54]) - (**Interpretation H:** e.g., *Newson*, Remote Transposer-Diplex Filter, [Col. 4, L39-L54]) – (**Interpretation I:** *Newson*, e.g., Air Interface – Inherent of wireless radio)} capable of placing a cellular call, at one or more of:

one of the amplifiers, and

the antenna (*Newson*, Figure 4, See Antenna Unit, [Col. 4, L61-L64]).

*Newson* is silent to disclose that the antenna unit of the remote antenna driver (RAD) is located indoors. However, in related art, Hamilton-Piercy teaches of a system for providing telephony service over a coaxial connected micro cell system. In this system, Hamilton-Piercy discloses an indoor RAD unit which may be incorporated into a television connector for providing PCS service (*Hamilton-Piercy*, [Col. 42, L33-L53]). Thus, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the technique of incorporating a RAD indoors as described by Hamilton-Piercy, to improve the system for providing cellular traffic over a cable television network of *Newson* for the predictable result of improved signal strength levels inside a building or home.

**Regarding claim 36,** the method of cellular communications as set forth in claim 35, wherein the monitor performs the operations of:

receiving a frequency shifted cellular downlink signal through the CATV network (*Newson*, Figure 5: See Remote Transposer, [Col. 4, L39-L67]);

converting the frequency shifted cellular signal to a cellular signal at an unshifted frequency (*Newson*, [Col. 4, L39-L67]);

automatically responding to the cellular signal (*Newson*, Figure 4, See Antenna Unit, [Col. 4, L61-L64]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 37**, the method of cellular communications as set forth in claim 36, further comprising:

making a reporting determination, at the monitor, based on the timing of a previous communication (*Newson*, [Col. 6, L50-L61]); and

when the reporting determination is in the affirmative (e.g., confirmed), reporting by originating a cellular call signal from the monitor (*Newson*, [Col. 6, L61-L65]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 38**, the method of cellular communications as set forth in claim 37, wherein the reporting includes sending a report having one or more of:

timestamp information;

signal strength information (*Newson*, [Col. 6, L61-L65]); and

status information based on the detection of a received value reaching a predetermined threshold (*Newson*, [Col. 6, L61-L65]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 39,** the method of cellular communications as set forth in claim 37, further comprising receiving the received value from a sensor (*Newson*, See “continuously monitors”, [Col. 6, L40-L44]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 40,** the method of cellular mutations as set forth in claim 37, further comprising receiving the received value from another processor {(**Interpretation J:** *Newson* Figure 4, See “Micro Processor”) – (**Interpretation K:** *Newson*, [Col. 5, L1-L12])} is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 41,** the method of cellular communications as set forth in claim 37, further comprising:

receiving, at the monitor, an uplink cellular signal (*Newson*, Figure 9: See HESP Uplink Transposer, [Col. 6, L30-L34]); and

automatically responding to the uplink cellular signal {(**Interpretation L:** *Newson*, [Col. 4, L39-L67]) – (**Interpretation M:** *Newson*, Figure 4, See Antenna Unit, [Col. 4, L61-L64])} is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 42,** the method of cellular communications as set forth in claim 41, wherein the automatically responding to the uplink cellular signal comprises:

making a detection of cellular call traffic of a mobile terminal (**Interpretation M:** *Newson*, [Col. 5, L57] to [Col. 6, L7]); and

reporting the detection by placing a cellular call (**Interpretation M:** *Newson*, [Col. 5, L57] to [Col. 6, L7]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claim 43**, the method of cellular communications as set forth in claim 42, wherein the reporting includes providing correlation information (*Newson*, [Col. 6, L40-L44], [Col. 6, L54-L61]) is disclosed by the combined teaching of Newson and Hamilton-Piercy, as a whole.

**Regarding claims 44 and 45**, please refer to remarks and citations provided by the Examiner in response to claims 16 and 34, respectively.

**Regarding claim 46-49**, the combined teaching of Newson and Hamilton-Piercy, as a whole discloses only those parts of the GSM network that are essential to the understanding to the disclosure of Newson are described ([Col. 3, L29-L36]). Thus, the combined teaching of Newson and Hamilton-Piercy, as a whole discloses fails to the respective limitations of claims 46-49. However, Official Notice is taken that both the concept and advantage of authenticating (i.e., “reporting”) a wireless subscriber in a GSM network according to the following process:

a subscriber’s MSISDN (i.e., OSI) is rendered by the serving MSC; and

if the MSISDN of the subscriber is not included (i.e., not matched) in the HLR list (i.e., “ASI”), then roaming fees apply to the customer’s bill (i.e., “record”); and

if the MSISDN of the subscriber is included (i.e., “matched”) in the HLR (i.e., “ASI”), then roaming fees do not apply bill (i.e., “record”) was notoriously well known and expected in

the art, and therefore would have been obvious to incorporate in the combined teaching of Newson and Hamilton-Piercey for the benefit of providing a means for generating revenue based upon geographical restrictions in a calling plan.

**Regarding claim 50,** the combined teaching of Newson and Hamilton-Piercey, as a whole, are silent to disclose the limitations of claim 50. However, Official Notice is taken that the act of reporting the location of a mobile station, based upon the location of a serving transceiver, when the mobile station places a call to emergency services was notoriously well known and expected in the art, and therefore would have been obvious to incorporate in the combined teaching of Newson and Hamilton-Piercey for the benefit of transmitting location information to aid the emergency response team in locating the caller in distress.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang (U.S. Patent "6,493,551 B1") discloses a system for authenticating and charging a wireless subscriber roaming in a GSM network.

Hatakeyama (U.S. Patent "5,542,100") discloses a system and method for calculating the distance from a wireless caller is from the serving transceiver to aid an emergency agency.

***Contact***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brett Rustemeyer whose telephone number is (571) 270-1849. The examiner can normally be reached on Mon. - Thurs. 6:30 a.m.-5 p.m. EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BR/

September 14<sup>th</sup>, 2008

/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623